

COMMISSIONERS APPROVAL

GRANDSTAFF *Cg*

ROKOSCH *JRN*

THOMPSON *at*

CHILCOTT *Y*

DRISCOLL *RD*

Present.....Commissioner Carlotta Grandstaff,  
Commissioner Jim Rokosch, Commissioner Alan Thompson, Commissioner Greg  
Chilcott, and Commissioner Kathleen Driscoll.

Date.....October 20, 2008

Minutes: Beth Perkins

► The Board met with the Road & Bridge Department for presentation of the Governor's Safety Award. Present were Road & Bridge Department Supervisor David Ohnstad, Road & Bridge employees Crystal Dale, Michael Nichols, Curt Jevning, Mark Lehr, Kevin Hatch, Jerry Wildey, Steve Henault, Jim Bryan and Human Resources Director Robert Jenni. Commissioner Rokosch was not present for this meeting.

David gave an overview of the past safety performance from the Road & Bridge Department. He discussed the participation of several safety and training classes have increased the performance and now have been recognized by the State. Michael stated the program could not exist without upper management. He stated they have developed several programs that are now used Statewide. They are now being recognized both nationally and federally. He stated there will be a billboard posted in six different states for their safety programs.

Curt presented the Board with a banner to be displayed and a picture of the Road & Bridge Department receiving the Governor's Safety Award. He stated the goal now is to integrate what they have learned into the County. The Board congratulated the Road & Bridge Department.

► The Board met for a public meeting for Aplin Subdivision to accept cash in lieu of parkland dedication. Present was Project Planner Jen De Groot.

Jen gave an overview and stated the amount for cash in lieu offered is \$8,502.34.  
**Commissioner Chilcott made a motion to accept cash in lieu parkland dedication in the amount of \$8,502.34 for Aplin First Minor Subdivision. Commissioner Rokosch seconded the motion and all voted 'aye'.**

► The Board met with County Attorney George Corn and the Airport Board to discuss Montana Code 67 for the Airport Affected Area. Present were Airport Board members Dave Hedditch, Fred Hasskamp, Judy Stewart, Carl Fox, Jim Trowbridge, Bill Stewart, Airport Manager Page Gough, Administrative Assistant Glenda Wiles and several citizens.

Commissioner Grandstaff discussed the adoption of MCA 67 for the affected area. She stated it is required by law to adopt the affected area and pointed out the area on the map and where Flat Iron subdivision is located.

Commissioner Rokosch questioned the County not adopting MCA 67 previously. Commissioner Chilcott questioned the less than 10,000 feet stipulation. George replied he does not know if the Airport is designated as NPIAS. Fred replied he believes the Airport is. Discussion followed regarding any penalties for not adopting this sooner. George replied he is not aware of any penalties for this issue. Commissioner Grandstaff expressed her concern with Flat Iron Subdivision and how it would impact the affected area. Commissioner Rokosch stated the affected area is defined, but the County has yet to adopt the area. He asked what impact it would have on the relationship with FAA. David replied this is a State law and has nothing to do with the FAA. The affected area is larger than what the FAA requires. There is no enforcement authority, however it should be done because it is Montana law. Commissioner Driscoll asked what will happen with Flat Iron. Commissioner Grandstaff stated it is in the City's hands and she will bring it to the City Council for concerns of encroachment into the affected area.

Page stated WGM Group contacted him for rules and regulations for Flat Iron. He stated it would be wise to have their engineer for the meeting. (Peccia)

Commissioner Grandstaff stated if the engineer is going to testify, it would be good to have the map and tell them there is action pending by the Board of County Commissioners. Commissioner Driscoll expressed her concern with the annexation. George stated it is more of a planning issue and it contemplates hearings, maps, contents and regulations specific to what will be done. He suggested contacting other airports who have done it for recommendations. He stated the threshold question is "Are you a non-NPIAS airport?" That would have to come from the FAA in Helena. It is mandatory to adopt an Affected Area for NPIAS airports. Commissioner Grandstaff stated it is important to protect the safety of the Airport with encroaching commercial and residential development. Commissioner Rokosch agreed with Commissioner Grandstaff and stated there have already been issues with encroachment. There is a significant potential for liability questions and investment concerns.

Commissioner Rokosch asked if the Board of County Commissioners could legally adopt the affected area with the new runway. Commissioner Chilcott stated there has not been a public hearing to relocate the runway to the east and the north. He discussed the 10,000 foot threshold. He stated before any public hearings, there should be accurate maps.

George stated in subsection three it talks about 10,000 feet and a greater area may be regulated if it is intended to protect other areas. David replied they do have the study to justify moving the runway and will set up a public hearing.

Commissioner Chilcott discussed accident data to support a smaller area. Commissioner Driscoll stated the Board of County Commissioners has seen the plan the Mildenbergers want to do and need to decide how to protect the citizens with the building areas. Commissioner Grandstaff asked for any consensus and how to move forward with adopting the affected area. Commissioner Rokosch stated there is a lot of work to be done before adopting the affected area with the existing runway or the new runway. He questioned allowing for possible expansion and suggested developing what is required by State law for compliance. George recited Statute 208, stating adopting plans under regulations the Board may request help from the Planning Board and/or the Airport Board. Judy stated since it was supposed to be adopted in 2006, she believes it should be done with the existing runway. Commissioner Rokosch stated it should be focused on the existing conditions for compliance. Glenda stated it makes it cleaner to follow the State law on what exists now. George stated there is no reason the Airport Board could not make recommendations to the Planning Board. Commissioner Grandstaff stated there is a lot of planning in Statute 67.

Page stated he met with the Planning Board and Renee Lemon in the past. Commissioner Rokosch stated since Renee is no longer an employee, it will have to be investigated as to what has been transferred. Commissioner Thompson stated it is like setbacks where the affected area protects the Airport. With citizens, there are people who inadvertently move into the affected area and that has to be taken into consideration as well. If the State says these are the dimensions that have to be adopted, then the Board should adopt it. Commissioner Chilcott stated it should be adopted on existing thresholds for compliance. Commissioner Rokosch suggested Planning Board is the intended vehicle to define the affected area with the Airport Board's direction. Commissioner Chilcott stated he would like the experts for the Airport to make their recommendations to the Planning Board prior to scheduling it on their agenda. Page stated the engineers would be the ones with the information for the Planning Board for the affected area. Page stated the ALP has been done with Morrison and Maierle for the existing runway. Commissioner Rokosch suggested having that information and the letter from FAA stating if the airport is NPIAS prior to going to the Planning Board. Commissioner Grandstaff stated the information needs to be ready and then she will have a Planning Staff person designated prior to the Planning Board member. She requested consensus from the Board of County Commissioners before she goes to the City Council to protect the Airport with Flat Iron Subdivision. After discussion, the Board agreed.

David discussed the Environmental Assessment with the Board and stated Morrison and Maierle needs a 30 day legal notice for a public hearing. It was directed to contact Commissioners Staff for the publishing of the legal notice.

Dennis Moore questioned discussing E.A. without public notice. Commissioner Grandstaff stated it will be a published public notice for the hearing.

► Commissioner Driscoll spent the afternoon at the County Airport.